

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA

v.

JOHN HEMPHILL

INITIAL APPEARANCE
on Rule 32.1 Hearing

CASE NUMBER 17-MJ-1400

HONORABLE WILLIAM E. DUFFIN, presiding
Deputy Clerk: Tony Byal
Hearing Held: December 1, 2017 at 3:45 PM

Court Reporter: FTR Gold
Hearing Began: 3:45:54
Hearing Ended: 3:53:02

Appearances:

UNITED STATES OF AMERICA by: Benjamin Taibleson

JOHN HEMPHILL, in person, and by: Gabriela Leija

CJA FDS RET

U.S. PROBATION OFFICE by: Elizabeth Maeder

INTERPRETER: None Sworn

Defendant advised of rights
 Defendant advised of alleged violation(s) of supervised release

Defendant waives right to an identity hearing
 Defendant to be transported by the U.S. Marshal to Northern District of Illinois

Government:

- Defendant has not been in contact with probation office.
- Seeking detention.
- Has not been abiding by conditions of supervised release.
- Concerned would not abide by order from court to turn himself in to the Northern District of Illinois.
- Nature of underlying offense involved defendant posing as a federal agent. Defendant has continued to pose as a federal agent. Was observed saying he is a federal agent and cannot be detained.

PTS:

- Probation has not been in contact with defendant since August of 2016.

Defense:

- Waives identity hearing.
- Indicates he wasn't aware of a warrant. If he was aware, he would have reported.
- Has been homeless for a period of time.
- Believes he can stay with niece at an address in Milwaukee.
- Has a car and can get to Illinois on his own.
- Has not had any law enforcement contacts since returning to Wisconsin in December.

Court:

- Makes finding of identity.
- Defendant knew he was supposed to report to the Probation Office but has not done so in a year.

- Defendant is a flight risk.
- Orders defendant detained and to be transported by the U.S. Marshal to the Northern District of Illinois.